

MCKEE VOORHEES & SEASE, PLC

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DATE: November 4, 2002

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FROM: Carole Rasmussen on behalf of Heidi S. Nebel

NUMBER OF PAGES (Including cover): 4

COMMENTS:

09/771,045
P05573US3

Please see the attached response to the restriction requirement and the Auto-Reply fax transmission sheet from 4/24/02. Please call if you have any questions.

HSN/cc

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-84/24/02 14:22:15

USPTO->

515-288-1338 Rip FAX

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Auto-Reply Facsimile Transmission



UNITED STATES
PATENT AND
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TO:

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Date Received:

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Received
Cover
Page

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04/24/02 14:22:15 FAX 5152881338	MCKEE VOORHEES & SEASE	0001
PATENT		
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE		
APPLICANT :	Divide et al.	
SERIAL NO :	09771 043	
FILED :	January 15, 2001	
TITLE :	AMINO POLY(ACRYLATE) POLYMERIZABLE AND RELATED POLYMERIZABLES AND METHODS OF USE	
Att./A.U. :	1658	
Examiner :	David M. M.	
Class No. :	723	
DocId No. :	P01573153	
RESPONSE TO RESTRICTION REQUIREMENT		
Assistant Commissioner for Patents Washington, D.C. 20531		
Dear Sir:		
In response to the Restriction Requirement dated March 26, 2002, applicant hereby elects with traverse to proceed with Group I, claims 1-8 and 12-19, drawn to an isolated polynucleotide encoding a P40 enzyme as a restriction enzyme, and transgenic plant/animal incorporating it. Claims 9 through 11 and 20-22 will be canceled upon a notice of allowance is received for Group I.		
With respect to the species election, applicant provisionally elects, again with traverse, the species of SEQ ID No.25. In the structure a generic electin is not found allowable, and the election is maintained, the claims will be limited to the elected species.		
CERTIFICATE OF FACSIMILE TRANSMISSION (PT. CO. 1.1) (R0010)		
I hereby certify that the document and the documents referred to in enclosed sheets are being transmitted by facsimile to Technology Group 1000 (ART Unit) (410) 705-470-0294, Attention: Communications Air Facility, Washington, D.C. 20531, on the 24th day of April, 2002.		
 David M. M. David M. M.		
Received by: 11/04/02 14:22:15 FAX 5152881338 (Eastern Daylight Time)		

Received from <5152881338> at 11/04/02 10:23:28 AM [Eastern Standard Time]

#10/EISC.

PATENT

11/4/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Duvick, et al.
SERIAL NO : 09/771,045
FILED : January 26, 2001
TITLE : AMINO POLYOL AMINE OXIDASE POLYNUCLEOTIDES AND
RELATED POLYPEPTIDES AND METHODS OF USE

Grp./A.U. : 1638
Examiner : Ibrahim, M.
Conf. No. : 7253
Docket No. : P05573US3

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Restriction Requirement dated March 26, 2002, applicant hereby elects with traverse to proceed with Group I - claims 1-8 and 12-19, drawn to an isolated polynucleotide encoding APAO enzyme in a recombinant cassette, and transgenic plant/cell/seed comprising it. Claims 9 through 11 and 20-22 will be canceled once a notice of allowance is received for Group I.

With respect to the species election, applicant provisionally elects, again with traverse, the species of SEQ ID No:35. In the event that a generic claim is not found allowable, and the election is maintained, the claims will be limited to the elected species.

CERTIFICATE OF FACSIMILE TRANSMISSION (37 C.F.R. § 1.6(e)(3))

I hereby certify that this document and the documents referred to as enclosed therein are being transmitted via facsimile to: Technology Center 1600 (Art Unit 1638) 703-872-9306, Attn: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 24 day of April, 2002.


Heidi S. Nebel